

REMARKS

Claims 1-3 and 5-10 are all the claims pending in the application. Claim 1 is amended.

Claim Rejections – 102(b)

Claims 1-3, 5 and 8-10 stand rejected under § 102(b) as being anticipated by Applicant's allegedly admitted prior art (APA). Applicant traverses this rejection.

Claim 1 recites, *inter alia*, a light emitting surface disposed within the case adjacent to said light mixing space, wherein the light emitting surface emits light in a direction along said printed circuit board.

In the rejection, the Examiner contends the APA, notably figures 1B and 2, disclose all the features of claim 1. However, Applicant respectfully submits the APA fails to disclose wherein the light emitting surface emits light in a direction along said printed circuit board. Specifically, figure 1B discloses an LED 11 disposed on printed circuit board 2 that emits light in a vertical direction with respect to the surface of the printed circuit board 2. (*specification* p. 2, lines 12-25; figure 1B). Thus, this configuration fails to disclose all the features recited in claim 1.

Regarding figure 2, this configuration includes a surface emitting LED 24 mounted on printed circuit board 23. As illustrated in figure 2, the light emitted from the LED 24 fails to emit light in a direction along the printed circuit board 23. Rather, LED 24 emits light toward light refractor sheet 25. (*see figure 2*).

Consequently, neither of the prior art configurations of figures 1B or 2, or the related disclosure within the specification disclose "wherein the light emitting surface emits light in a direction along said printed circuit board," as recited in claim 1.

Thus, Applicant respectfully submits claim 1 is allowable for at least this reason.

Additionally, Applicant submits claims 2-3, 5 and 8-10 are allowable, at least by virtue of their dependency.

Claim Rejections – 35 U.S.C. § 103(a)

Claims 6-7 stand rejected under § 103(a) as being unpatentable over Applicant's admitted prior art in view of Ariga (US 5,486,816). Applicant traverses this rejection as follows.

First, Applicants submit that because Ariga, either taken alone or in combination with the APA, fails to compensate for the above noted deficiencies of the APA as applied to claim 1, claims 6-7 are allowable, at least by virtue of their dependency.

Second, in the rejection, the Examiner contends Ariga teaches an LED that is a side/surface emitting type. Thus, the Examiner concludes it would have been obvious to one of ordinary skill in the art to modify the APA such that the light emitting section is a light emitting diode of a side emitting type to provide a method where the light can be directed into a general direction without having to bend the lead terminals to mount the LED.

In view of these comments, Applicant submits the Examiner has failed to establish *prima facie* obviousness for failing to provide a rational basis for modifying the APA in view of Ariga. In particular, Applicant notes both figures 1b and 2 of the APA disclose emitting light in a direction away from the printed circuit boards. Further, the Examiner contends that modifying the APA in view of Ariga would prevent having to bend the lead terminals to mount the LED. However, because the lead terminals of the APA would require bending only if the side emitting LED of Ariga is used (because the APA discloses that the light is emitted away from the surface of the printed circuit boards the side emitting LED would have to be bent to do so), one of

ordinary skill using common sense would not modify the APA in view of Ariga as alleged by the Examiner. Consequently, the reason to combine provided by the Examiner actually teaches away from modifying the APA as suggested. Therefore, the Examiner has failed to articulate a rational basis to modify the APA in view of Ariga.

Thus, Applicant respectfully submits claims 6 and 7 are allowable for this additional reason.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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